

JAN 19 2007

Applicant: Gorsuch et al.
Application No.: 10/764,196

REMARKS/ARGUMENTS

Upon entrance of the foregoing amendment, claim 3-138 are pending in this application. New claims 36-138 are added pursuant to the foregoing amendment. Applicants submit that no new matter is introduced by way of this amendment.

Double Patenting Rejection

Claims 3-35 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-47 of copending Application No. 10/763,788. A Terminal Disclaimer is submitted herewith to overcome the obviousness-type double patenting rejection. The withdrawal of the provisional obviousness-type double patenting rejection is respectfully requested.

Conclusion

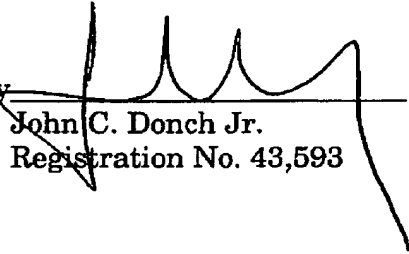
If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 3 - 138, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosure